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RESPONSE UNDER RULE 116
EXPEDITED PROCEDURE
ART UNIT 2634

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EFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William McFarland et al.

Confirmation No. 2909

Serial No.: 09/833,749

Examiner: Wang, Ted M.

Art Unit: 2634

Filed: April 11, 2001

Atty. Docket No. 073169-0269527
ATH-035

For: **METHOD AND APPARATUS FOR MAXIMIZING RECEIVER PERFORMANCE
UTILIZING MID-PACKET GAIN CHANGES**

CERTIFICATE OF MAILING

I hereby certify that this paper (along with all papers referred to as being attached or enclosed) is being deposited with the U.S. Postal Service, postage prepaid, to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below.

Date: June 3, 2005

By: Bobbie Jutras
Bobbie Jutras

AMENDMENT AND RESPONSE UNDER RULE 116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the final office action mailed April 4, 2005 for which a three-month shortened statutory response is due July 4, 2005. The Commissioner is authorized to charge any required fee(s) to our deposit account no. 50-2213 (order no. 073169-0269527).

In response to the office action, please enter the following:

Amendments to the claims are reflected in the listing of claims beginning at page 2.

Remarks begin at page 17.